THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1379 of 1998

Dated:28.3.2007

Between
B.Vykunta Rao

.....Petitioner

and

The Regional Manager,
APSRTC, Srikakulam

…Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1379 of 1998

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondent in ignoring the claim of the petitioner, a displaced employee, for appointment as Conductor and for absorption of his service in the APSRTC, as arbitrary and illegal.

It is the claim of the petitioner that he was appointed on 1-10-1985 in the respondent-Corporation as Checker-cum-Conductor on the bus bearing No.A.P.S. 1989. Due to nationalization of bus routes, the bus was displaced and the petitioner became unemployed in the month of November, 1987. Therefore, as a displaced employee, he is entitled for absorption into the service of the respondent-Corporation as per the scheme evolved by the Corporation. Though, he made a representation along with the educational

certificates and service certificate to the authorities concerned, his case was not considered. Therefore, the present writ petition is filed.

Respondent filed a counter-affidavit denying the allegations made by the petitioner. According to the respondent, as per the scheme framed by the Corporation sufficient persons i.e., five in number were selected and absorbed against particular vacancies. However, the petitioner did not attend the interview before the Selection Committee along with others. Therefore, the question of considering the case of the petitioner does not arise. The Selection Committee made a remark in the main guidesheet that the petitioner was “Absent-not worked”. Further, the Corporation in its resolution No.56/1998 dated 15.5.1998 resolved to impose a total ban on further absorption of displaced employees into the services of the Corporation, because of the

critical financial position. In fact, efforts are being made to reduce the staff ratio on par with other Road Transport Corporations in India. The said ban was circulated vide Circular No.61/1998 dated 16.7.1998.

It appears that the petitioner did not attend the interview before the Selection Committee, as such, he is not entitled for absorption in view of the fact that 5 persons were already appointed against particular vacancies and further a ban has been imposed for absorption of displaced employees into the services of the Corporation.

In view of the above, I am of the opinion that the writ petition is devoid of merits and is liable to be dismissed.

Writ petition is accordingly dismissed. No costs.

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28-03-2007

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